

Message

From: Koch, Erin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D5E11973F9C0476EA9784F4B0A932373-EKOCH]
Sent: 9/23/2020 2:18:25 PM
To: Lis-Coghlan, Kamila [lis-coghlan.kamila@epa.gov]
CC: Cole, Joseph E. [cole.josephe@epa.gov]
Subject: FW: Monsanto case update
Attachments: LPS-#284695-v1-Monsanto_Motion_to_Participate_in_Oral_Argument.docx

Kamila,

I heard this morning that DOJ will be requesting participation in oral argument for the Monsanto/glyphosate case for which the USG submitted an amicus brief last December. A draft motion is attached; I have not yet had a chance to look at it. DOJ has asked for any comments by COB tomorrow. Would you like me to mention this at Hot Topics?

Thanks,
Erin

From: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Sent: Wednesday, September 23, 2020 9:44 AM
To: Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Aranda, Amber <aranda.amber@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: RE: Monsanto case update

Hi Folks –

I confirmed this morning that Jon Brightbill, the ENRD principal deputy assistant attorney general, will be arguing the Monsanto case on October 23d. I'll work with Jon to set a date for a moot court.

Also – I've drafted a motion to participate in oral argument (attached). Monsanto has agreed to give us 5 minutes of argument time. I hope to file this week. If you have any comments on the attached draft, please let me know by COB tomorrow.

I'll be putting together prep materials for Jon in the next week or so, and I'll follow up with you during that process.

Thanks,

Matt

Matt Oakes
Senior Counsel
United States Department of Justice
Environment and Natural Resources Division
Law and Policy Section
(202) 514-2686

From: Oakes, Matthew (ENRD)
Sent: Saturday, August 22, 2020 10:24 AM

To: Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Aranda, Amber <aranda.amber@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: Monsanto case update

Hi Folks,

A couple of quick updates about the Monsanto Ninth Circuit case we filed a brief in a few months ago. First – the Ninth Circuit has set an oral argument date. Oral argument will be Friday, October 23, 2020 - 09:00 A.M. - Courtroom 3 -
Scheduled Location: San Francisco CA.

Ex. 5 AC/DP

Ex. 5 AC/DP

Second – yesterday evening Appellants filed their reply brief. It is attached.

I'll follow up when we know who is arguing and can schedule a moot argument.

Thanks,

Matt Oakes

From: Perlis, Robert <Perlis.Robert@epa.gov>
Sent: Monday, October 21, 2019 3:23 PM
To: Oakes, Matthew (ENRD) <MOakes@ENRD.USDOJ.GOV>
Cc: Aranda, Amber <aranda.amber@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: Information on approved Prop 65 warning statements on glyphosate labels

Matt:

I've talked with the two folks in our pesticide Registration Division who seems to know the most about Prop 65 warning statements on glyphosate labels, and here's what I got from them:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Bob

Bob Perlis
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